

[] THE PEOPLE OF THE STATE OF ILLINOIS)
or)
[] A MUNICIPAL CORPORATION,)
vs.) CASE NO. _____

Defendant/Petitioner.

COMES NOW the Defendant/Petitioner, pursuant to 20 ILCS 2630/5.2(c), and petitions the Court to seal his/her arrest records maintained by the Arresting Authority, the Circuit Clerk and the Department of State Police with regard to the following arrest:

Charge: _____ Date of Arrest: _____

Arresting Authority: _____

ID #: _____ Date of Birth: _____ Sex: _____ Race: _____

Petitioner's Current Mailing Address:

Street/P.O. Box: _____

City: _____ State: _____ Zip: _____

1. Defendant/Petitioner was arrested by the Arresting Authority on the date and for the offense(s) stated above, or if no arrest was made, Defendant/Petitioner was charged with the offense(s) on the date stated above.
2. ☐ The Defendant/Petitioner was arrested and released without the filing of formal charges; OR
☐ The Defendant/Petitioner was charged, but was later acquitted or otherwise released without being convicted; OR
☐ The Defendant/Petitioner was convicted, but the conviction was later reversed or vacated; OR
☐ The Defendant/Petitioner was released without conviction following the successful completion of a sentence of court supervision.

3. In the case sought to be sealed, the Defendant/Petitioner was not convicted of any criminal offense, nor was Defendant/Petitioner placed on court supervision for any of the following offenses:
 - 625 ILCS 5/11-501 - Driving Under the Influence, or
 - 625 ILCS 5/11-503 - Reckless Driving, or
 - a violation of Article 11 of the Criminal Code of 1961, not including prostitution under 720 ILCS 5/11-14, or
 - 720 ILCS 5/26-5 - Dog Fighting, or
 - a misdemeanor violation that is a crime of violence as defined in Section 2 of the Crime Victims Compensation Act (740 ILCS 45/2), which includes:
 - 720 ILCS 5/12-1 - Assault, or
 - 720 ILCS 5/12-2 - Aggravated Assault, or
 - 720 ILCS 5/12-3 - Battery, or
 - 720 ILCS 5/12-3.2 - Domestic Battery, or
 - 720 ILCS 5/12-5 - Reckless Conduct, or
 - 720 ILCS 5/12-15 - Criminal Sexual Abuse
(renumbered 720 ILCS 5/11-1.50, eff. July 1, 2011), or
 - 720 ILCS 5/12-30 - Violation of an Order of Protection
(renumbered 720 ILCS 5/12-3.4, eff. July 1, 2011), or
 - a Class A misdemeanor violation of the Humane Care for Animals Act (510 ILCS 70/1 *et seq.*), or
 - any offense or attempted offense that would subject a person to registration under the Sex Offender Registration Act (730 ILCS 150/1 *et seq.*).
4. If the case sought to be sealed resulted in a sentence of court supervision for an offense not listed in the previous paragraph, that the Defendant/Petitioner meets the waiting period to seal the record required by 20 ILCS 2630/5.2(c)(3)(B).
5. (Check whichever applies):
 - ☐ Defendant/Petitioner has no other arrests or convictions in this or any other jurisdiction; OR
 - ☐ Defendant/Petitioner has other arrests or convictions, unrelated to the case sought to be sealed, which are listed and attached to this Petition.
6. Defendant/Petitioner has paid all costs and fees for the filing of this Petition, or has been granted a fee waiver by the Court.

WHEREFORE, the Defendant/Petitioner prays that the Defendant's record of arrest be sealed as allowed by law.

DATED: _____, _____

Defendant/Petitioner

VERIFICATION BY CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, as to such matters the undersigned certifies as aforesaid he/she verily believes the same to be true.

Date

Defendant/Petitioner

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary/Clerk

Prepared By:

Name_____

Address_____

City/State/Zip_____

Atty No._____

Attorney for _____

Telephone_____

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT
_____ COUNTY, ILLINOIS

[] THE PEOPLE OF THE STATE OF ILLINOIS)

or)

[] A MUNICIPAL CORPORATION,)

vs.)

CASE NO. _____

Defendant/Petitioner.)

ORDER TO SEAL ARREST RECORD

Charge: _____ Date of Arrest: _____

Arresting Authority: _____

Date of Birth: _____ Sex: _____ Race: _____ ID #: _____

THIS CAUSE comes before the Court on the Defendant/Petitioner's Petition to Seal Arrest Record. The Court being fully advised, **FINDS:**

1. Defendant/Petitioner was arrested by the Arresting Authority on the date and for the offense(s) stated above, or if no arrest was made, Defendant/Petitioner was charged with the offense(s) on the date stated above.
2. ☐ The Defendant/Petitioner was arrested and released without the filing of formal charges; OR
☐ The Defendant/Petitioner was charged, but was later acquitted or otherwise released without being convicted; OR
☐ The Defendant/Petitioner was convicted but the conviction was later reversed or vacated; OR
☐ The Defendant/Petitioner was released without conviction following the successful completion of a sentence of court supervision.
3. That the record(s) sought to be sealed qualifies for such relief under the provisions of 20 ILCS 2630/5.2(c).
4. That, if the case sought to be sealed resulted in a sentence of court supervision, the Defendant/Petitioner has met the waiting period to seal the record required by 20 ILCS 2630/5.2(c)(3)(B).
5. Defendant/Petitioner has paid all costs and fees for the filing of this Petition, or has been granted a fee waiver by the Court.

6. The Circuit Clerk has served notice on the Arresting Authority, the Department of the State Police, the State's Attorney and Chief Legal Officer of the unit of local government affecting the arrest and:
- ☐ none of said agencies has filed an objection to the Petition within 60 days from the date of service; OR
 - ☐ this Court, having heard evidence in the matter, finds that the records should be sealed.

IT IS THEREFORE ORDERED as follows:

- A. That the Petition to Seal the Defendant/Petitioner's arrest record is **GRANTED**, and the official records be **SEALED** as follows:
- 1. The Clerk of the Circuit Court, the Arresting Agency, and the Department of State Police **SHALL SEAL** all records of the Petitioner until further order of the court and the Clerk of the Circuit Court shall obliterate the Petitioner's name from the official index required to be kept by the Circuit Court Clerk under Section 16 of the Clerks of Courts Act.
 - 2. That the Arresting Authority and the Department of State Police shall request the return of any other law enforcement records relating to the incident set forth in the Petition which have been transferred to the Federal Bureau of Investigation or any other law enforcement agency as a result of said arrest and **SHALL SEAL** said records upon their return.
- B. That any arrest records **SEALED** are subject to inspection and use by the court for the purposes of subsequent sentencing for misdemeanor and felony violations and inspection and use by law enforcement agencies, the Department of Corrections, and State's Attorneys and other prosecutors in carrying out the duties of their offices. Upon conviction for any offense, the Department of Corrections shall have access to such sealed records pertaining to Defendant/Petitioner.
- C. That in response to an inquiry for such records from anyone not authorized by law to access such records, the entity receiving such inquiry shall reply as it does when no records ever existed.

ENTERED: _____, 20____.

JUDGE

ADDITIONAL ARRESTS AND CONVICTIONS:

□. Date of Arrest: _____	Arresting Authority: _____
Charging Jurisdiction: _____	Case No(s): _____
Charge(s): _____	Disposition(s) _____
Date of Completion of Case: _____	

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